

AKERMAN LLP

1160 TOWN CENTER DRIVE, SUITE 330
LAS VEGAS, NEVADA 89144
TEL.: (702) 634-5000 – FAX: (702) 380-8572

DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
JASON J. ZUMMO, ESQ.
Nevada Bar No. 13995
AKERMAN LLP
1160 Town Center Drive, Suite 330
Las Vegas, NV 89144
Telephone: (702) 634-5000
Facsimile: (702) 380-8572
Email: darren.brenner@akerman.com
jason.zummo@akerman.com

*Attorneys for Bank of America, N.A., successor by
merger to BAC Home Loans Servicing, LP f/k/a
Countrywide Home Loans Servicing, LP*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO BAC HOME LOANS
SERVICING, LP FKA COUNTRYWIDE
HOME LOANS SERVICING, LP,

Plaintiff,

vs.

TRAVATA AND MONTAGE AT
SUMMERLIN CENTRE; UNDERWOOD
PARTNERS, LLC; NV EAGLES LLC; and
NEVADA ASSOCIATION SERVICES, INC.,

Defendants,

NV EAGLES, LLC,

Counterclaimant,

vs.

BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO BAC HOME LOANS
SERVICING, LP FKA COUNTRYWIDE
HOME LOANS SERVICING, LP,

Counterdefendant,

Case No.: 2:16-cv-00345-JCM-GWF

**STIPULATION AND ORDER TO EXTEND
TIME FOR PLAINTIFF AND
DEFENDANT NV EAGLES LLC TO FILE
THEIR REPLIES IN SUPPORT OF THEIR
MOTIONS FOR SUMMARY JUDGMENT**

(SECOND REQUEST)

1 NV EAGLES, LLC,
 2 Third-Party Plaintiff,
 3 vs.
 4 ANTHONY HOLDREN and KRISTINE A.
 HOLDREN,
 5 Third-Party Defendants,

6
 7 Plaintiff Bank of America, N.A. (**BANA**) and defendants Travata and Montage at Summerlin
 8 Centre (**Travata**) and NV Eagles, LLC (**NV Eagles**) (collectively, the **Parties**) hereby stipulate and
 9 agree as follows:

10 1. On January 17, 2017, BANA filed its motion for summary judgment. ECF No. 36.
 11 NV Eagles and Travata filed their motions for summary judgment on the same date. ECF Nos. 35,
 12 37. On February 7, 2017, Travata filed its opposition to BANA's motion for summary judgment and
 13 NV Eagles' opposition was filed on February 8, 2017. ECF Nos. 42, 46. BANA filed its oppositions
 14 to NV Eagles and Travata's motions for summary judgment on February 7, 2017. ECF Nos. 40, 41.

15 2. The Parties filed their First Stipulation for Extension of Time on February 17, 2017
 16 and subsequent corrected images which was approved by the court on February 24, 2017. ECF Nos.
 17 53-58. The extension to file a reply applied to both BANA and Travata.

18 3. Counsel for BANA needs additional time to reply to the arguments raised in Travata's
 19 and NV Eagles' responses, in light of the developing case law and recent decisions issued by the
 20 Ninth Circuit Court of Appeals and Nevada Supreme Court, which affect this case and others like it.
 21 The additional time will allow BANA to properly address the issues raised.

22 4. Counsel for NV Eagles needs additional time to reply to the arguments raised in
 23 BANA's response.

24 5. Presently BANA's replies are currently due on March 3, 2017. Pursuant to the
 25 agreement of the parties, BANA shall have an extension of time until March 17, 2017, in which to
 26 file its replies in support of its motion for summary judgment in response to Travata's and NV
 27 Eagles' oppositions.

28 ///

6. Presently NV Eagles' reply was due on February 21, 2017. Pursuant to the agreement of the parties, NV Eagles shall have an extension of time until March 17, 2017, in which to file its reply.

7. This stipulation is made in good faith and not for purpose of delay.

DATED this 28th day of February, 2017.

LIPSON, NEILSON, COLE, SELTZER & GARIN

/s/ David A. Markman, Esq.
J. WILLIAM EBERT, ESQ.
Nevada Bar No. 2697
DAVID A. MARKMAN
Nevada Bar No. 12440
Lipson, Neilson, Cole, Seltzer & Garin, P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144

*Attorneys for Defendant Travata and Montage at
Summerlin Centre*

AKERMAN LLP

/s/ Jason J. Zummo, Esq.
DARREN T. BRENNER, ESQ.
Nevada Bar No. 8386
JASON J. ZUMMO, ESQ.
Nevada Bar No. 13995
1160 Town Center Drive, Suite 330
Las Vegas, Nevada 89144
Telephone: (702) 634-5000

*Attorneys for Bank of America, N.A., successor by
merger to BAC Home Loans Servicing, LP f/k/a
Countrywide Home Loans Servicing, LP*

THE WRIGHT LAW GROUP, PC

/s/ John Henry Wright, Esq.
JOHN HENRY WRIGHT, ESQ.
Nevada Bar No. 6182
The Wright Law Group, PC
2340 Paseo Del Prado, Suite D-305
Las Vegas, Nevada 89102

*Attorney for Defendants Underwood Partners, LLC
and NV Eagles, LLC*

ORDER

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

March 1, 2017

DATED

AKERMAN LLP
1160 TOWN CENTER DRIVE, SUITE 330
LAS VEGAS, NEVADA 89144
TEL.: (702) 634-5000 – FAX: (702) 380-8572